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EXAMINER
KRAFT, SHIH-WEI

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2194	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *07 July 2005*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-14* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *07 July 2005* is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *3/13/2006 & 2/3/2009*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   Amended claims 1 – 14 of the instant application having Application No. 10/541,689

filed on 7/7/2005 is presented for examination by the examiner.

Examiner Notes

2.   Examiner cites particular columns and line numbers in the references as applied to the

claims below for the convenience of the applicant. Although the specified citations are

representative of the teachings in the art and are applied to the specific limitations within the

individual claim, other passages and figures may apply as well. It is respectfully requested that,

in preparing responses, the applicant fully consider the references in entirety as potentially

teaching all or part of the claimed invention, as well as the context of the passage as taught by

the prior art or disclosed by the examiner.

Oath/Declaration

3.   The applicant's oath/declaration has been reviewed by the examiner and is found to

conform to the requirements prescribed in 37 C.F.R. 1.63.

Priority

4.   As required by M.P.E.P. 201.14(c), acknowledgement is made of applicant's claim for

priority based on applications filed on January 9, 2004 (France 03 00188).

        Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers

have been placed of record in the file.

Drawings

5.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they

include the following reference character(s) not mentioned in the description: "2" (see Figure 1

& Figure 2). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to

the specification to add the reference character(s) in the description in compliance with 37 CFR

1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any

amended replacement drawing sheet should include all of the figures appearing on the immediate

prior version of the sheet, even if only one figure is being amended. Each drawing sheet

submitted after the filing date of an application must be labeled in the top margin as either

"Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not

accepted by the examiner, the applicant will be notified and informed of any required corrective

action in the next Office action. The objection to the drawings will not be held in abeyance.

Information Disclosure Statement

6.   As required by M.P.E.P. 609, the applicant's submissions of the Information Disclosure

Statements dated 3/13/2006 and 2/3/2009 are acknowledged by the examiner and the cited

references have been considered in the examination of the claims now pending.

Claim Objections

7.   Claims 2-6 and 10-14 are objected to because of the following informalities:

        Claim 2 is objected to because of the limitation "the result of the processing of the data"

in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of

examination, the Examiner interprets "the result of the processing of the data" to mean "a result of a processing of the data".

Claim 3 is objected to because of the limitation "the course of the data writing step" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, the Examiner interprets "the course of the data writing step" to mean "a course of a data writing step".

Claim 3 is objected to because of the limitation "the course of the data writing step" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, the Examiner interprets "the course of the data writing step" to mean "a course of a data writing step".

Claim 3 is objected to because of the limitation "the location of the presentation description data" in lines 4-5. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, the Examiner interprets "the location of the presentation description data" to mean "a location of the presentation description data".

Claim 4 is a dependent of claim 3, and therefore is objected to for the reasons above.

Claim 5 is objected to because of the limitation "the characteristics of said peripheral" in line 3. There is insufficient antecedent basis for this limitation in the claim. For purposes of

examination, the Examiner interprets "the characteristics of said peripheral" to mean

"characteristics of said peripheral".

Claim 6 is objected to because of the limitation "the characteristics of the peripheral" in

line 2. There is insufficient antecedent basis for this limitation in the claim. For purposes of

examination, the Examiner interprets "the characteristics of the peripheral" to mean

"characteristics of said peripheral".

Claim 6 is objected to because of the limitation "the communication protocol" in line 3.

There is insufficient antecedent basis for this limitation in the claim. For purposes of

examination, the Examiner interprets "the communication protocol" to mean "a communication

protocol".

Claim 10 is objected to because of the limitations "the set of data hosted within the

server" in line 4; "the content description data" in lines 4-5; "the location of a content description

data presentation description file" in lines 5-6; "the name of this file" in line 6; "the presentation

description file" in lines 7-8. There are insufficient antecedent basis for these limitations in the

claim.

Claims 11-14 are dependent claims of claim 10, and therefore are objected for the reasons

above.

Claim 14 is objected to because of the limitations "the X-HTML language" and "the CSS language" in lines 2-3. There are insufficient antecedent basis for this limitation in the claim. Also, claim 14 contain abbreviations, but does not contain the references they are abbreviating (i.e., "X-HTML" and "CSS").

Claim 14 is objected to because of the limitation "the presentation description language" in line 3. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination, the Examiner interprets "the presentation description language" to mean "a presentation description language".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9.   Claims 1-5, 7-11, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Lenz et al. (US 7,339,690) (hereinafter Lenz).

As per claim 1, Lenz discloses a method of managing a peripheral (see 3:3-12) comprising:

transmitting data written by means of a content description language (e.g., "HTML" or "XML", see 4:1-2) to the peripheral; (see 3:13-16, 3:64-4:2, 5:44-49, 6:41-46)

interpreting the data by means of interpretation software (e.g., "browser", see 4:14-15, 4:22-23, 6:43-47) hosted within the peripheral; and (see 5:44-49, 7:28-8:20, 8:48-51)

translating the interpreted data into data for controlling the peripheral by means of a driver hosted within the peripheral (see 4:24-67, 9:42-50, 9:57-63, 10:58-11:37).

As per claim 2, Lenz discloses the method of managing a peripheral as claimed in claim 1, [see rejection to claim 1 above] wherein the result of the processing of the data by the interpretation software is stored in a means of storage of the peripheral (see 4:27-35, 6:15-19, 6:65-7:2).

As per claim 3, Lenz discloses the method of managing a peripheral as claimed in claim 1, [see rejection to claim 1 above] wherein in the course of the data writing step, the data is separated (e.g., "parsed", see 7:28-31) into content description data and presentation description data, (see 5:44-49, 7:28-8:20, 8:48-51) and included within the content description data is an addressing indicating the location of the presentation description data of said content description data, (see 5:37-41, 6:19-38, 8:48-51, 9:3-22) and in that the interpretation step comprises a step of retrieving the addressed presentation description data (see 5:37-41, 6:19-38, 8:48-51, 9:3-22).

As per claim 4, Lenz discloses the method of managing a peripheral as claimed in claim 3, [see rejection to claim 3 above] wherein the data written by means of the content description language are hosted in a server (see 5:37-41, 6:19-38, 6:65-7:2, 8:48-51, 9:3-22) and in that the presentation description data are stored in said server identified by the addressing (see 5:37-41, 6:19-38, 6:65-7:2, 8:48-51, 9:3-22).

As per claim 5, Lenz discloses the method of managing a peripheral as claimed in claim 4, [see rejection to claim 4 above] wherein the presentation description data are transmitted to the peripheral as a function of the characteristics of said peripheral (see 5:37-41, 6:19-38, 6:65-7:2, 7:40-8:20, 8:48-9:22).

As per claim 7, Lenz discloses the method of managing a peripheral as claimed in claims 1, [see rejection to claim 1 above] wherein the content description language is a hypertext markup language (e.g., "HTML" or "XML", see 4:1-2, 5:44-49, 6:41-46).

As per claim 8, Lenz discloses the method of managing a peripheral as claimed in claims 1, [see rejection to claim 1 above] wherein the interpretation software is a web browser (e.g., "browser", see 4:14-15, 4:22-23, 5:44-49, 6:43-47, 7:28-8:20, 8:48-51).

As per claim 9, Lenz discloses a computer system comprising at least one computer and a printer that are attached in a network, (see Figure 2; see 3:44-4:13) wherein

the computer comprises means for transmitting data written in a content description

language (e.g., "HTML" or "XML", see 4:1-2) to the printer, and (see 3:13-16, 3:64-4:2, 5:44-

49, 6:41-46)

in that the printer comprises software for interpreting the data transmitted (see 4:14-15,

4:22-23, 5:44-49, 6:43-47, 7:28-8:20, 8:48-51) and a printer driver for translating the interpreted

data into the form of printing control data (see 4:24-67, 9:42-50, 9:57-63, 10:58-11:37).

As per claim 10, Lenz discloses the computer system as claimed in claim 9, [see rejection

to claim 9 above] further comprising a server hosting the data written in a content description

language, (see 5:37-41, 6:19-38, 6:65-7:2, 8:48-51, 9:3-22) a set of respective presentation

description files corresponding to the set of data hosted within the server, (see 5:37-41, 6:19-38,

6:65-7:2, 8:48-51, 9:3-22) and in that the content description data comprise an addressing

indicating the location of a content description data presentation description file stored in the

server and the name of this file, (see 5:37-41, 6:19-38, 8:48-51, 9:3-22) and in that the

interpretation software comprises means for retrieving the presentation description file on the

server on the basis of said addressing (see 5:37-41, 6:19-38, 8:48-51, 9:3-22).

As per claim 11, Lenz discloses the computer system as claimed in claim 10, [see

rejection to claim 10 above] wherein the printer comprises means for communicating identifying

characteristics of said printer to the server, (see 5:37-41, 6:19-38, 6:65-7:2, 7:40-8:20, 8:48-9:22)

and in that the server comprises means for processing the characteristics of the printer so as to

transmit thereto a version of the presentation description file corresponding to the characteristics

of the printer (see 5:37-41, 6:19-38, 6:65-7:2, 7:40-8:20, 8:48-9:22).

As per claim 13, Lenz discloses the computer system as claimed in claims 10, [see

rejection to claim 10 above] wherein the addressing of the data description file is a URL address

(see 5:37-41, 6:19-38, 8:48-51, 9:3-22).

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

11.   Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz et

al. (US 7,339,690) (hereinafter Lenz) in view of Knauft et al. (US 6,654,754) (hereinafter

Knauft).

As per claim 6, Lenz discloses the method of managing a peripheral as claimed in claim

5, [see rejection to claim 5 above] wherein the characteristics of the peripheral are conveyed by a

message of the communication protocol used to convey the data (see 5:37-41, 6:19-38, 6:65-7:2,

7:40-8:20, 8:48-9:22) but fails to disclose expressly a header of a message.

However, Knauft discloses a header of a message (see 7:33-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the HTTP protocol for the object based messaging as described by Lenz with the HTTP header as taught by Knauft because it would provide for the purpose of defining how messages are formatted and transmitted, and what actions should be taken in response to various commands (see Knauft 7:21-26).

As per claim 12, Lenz discloses the computer system as claimed in claim 11, [see rejection to claim 11 above] wherein the characteristics of the printer are conveyed by an HTTP hypertext transfer protocol (see 5:37-41, 6:19-38, 6:65-7:2, 7:40-8:20, 8:48-9:22) but fails to disclose expressly a header of an HTTP hypertext transfer protocol.

However, Knauft discloses a header of an HTTP hypertext transfer protocol (see 7:33-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the HTTP protocol for the object based messaging as described by Lenz with the HTTP header as taught by Knauft because it would provide for the purpose of defining how messages are formatted and transmitted, and what actions should be taken in response to various commands (see Knauft 7:21-26).

12.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz et al. (US 7,339,690) (hereinafter Lenz) in view of Gebert et al. (US 2002/0111963) (hereinafter Gebert).

As per claim 14, Lenz discloses the computer system as claimed in claims 10, [see rejection to claim 10 above] wherein the content description language is the X-HTML language (e.g., "XML", see 4:1-2, 5:44-49, 6:41-46) but fails to disclose expressly the presentation description language is the CSS language.

However, Gebert discloses the presentation description language is the CSS language (see [0023], [0044]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine a data type definition as described by Lenz with the Cascading Style Sheet as taught by Gebert because it would provide for the purpose of creating interchangeable, structured documents, and allowing optimal rendering at the output device via page-by-page basis without having to transform an entire document (see Gebert [0016], [0044]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-Wei Kraft whose telephone number is (571) 270-3388. The examiner can normally be reached on Monday to Friday 6:30 AM to 3:30 PM.

If attempts to reach the above noted Examiner by telephone are unsuccessful, the Examiner's supervisor, Hyung Sough, can be reached at the following telephone number: (571) 272-6799.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained

from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions

on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

/Hyung S. Sough/
Supervisory Patent Examiner, Art Unit 2194
03/28/10

/S. K./
Examiner, Art Unit 2194